

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SALVATORE BORTUNA,

Plaintiff,

-against-

JO ANNE B. BARNHART,
Commissioner of Social Security,

Defendant.
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JUDGMENT
05-CV- 2537 (DLI)

An Order of Honorable Dora L. Irizarry, United States District Judge, having been filed on October 28, 2005, reversing the Commissioner's decision pursuant to the fourth sentence of 42 U.S.C. § 405(g); and remanding plaintiff's claim for further administrative proceedings, including but not limited to adjudication of medical improvement by reference to evidence dating from November 11, 1990, as well as making appropriate efforts to obtain additional testimony from therapist Dr. Raia; it is

ORDERED and ADJUDGED that the Commissioner's decision is reversed pursuant to the fourth sentence of 42 U.S.C. § 405(g); that plaintiff's claim is remanded for further administrative proceedings, including but not limited to adjudication of medical improvement by reference to evidence dating from November 11, 1990, as well as making appropriate efforts to obtain additional testimony from therapist Dr. Raia.

Dated: Brooklyn, New York
October 31, 2005

ROBERT C. HEINEMANN
Clerk of Court